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EXAMINER	
MOLLEN, I	
ART UNIT	PAPER NUMBER
	3

2817

DATE MAILED: 07/13/95

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-848. |
| 3. <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

- ☒ Claims 1-14 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
- ☐ Claims _____ have been cancelled.
- ☐ Claims _____ are allowed.
- ☒ Claims 1-14 are rejected.
- ☐ Claims _____ are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.
- ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
- ☐ Formal drawings are required in response to this Office action.
- ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-848).
- ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
- ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
- ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
- ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
- ☐ Other

EXAMINER'S ACTION

Ser. No. 303,950

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Art Unit 2617

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

2. The drawings are objected to because in Fig. 3, it is unclear what type of element is denoted by the word "ELECTRIC", and "TRANSCEIVER" is misspelled. Correction is required.

3. Applicant is required to submit a proposed drawing correction in response to this Office action. However, correction of the noted defect can be deferred until the application is allowed by the examiner.

4. The drawings are objected to under 37 C.F.R. § 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "receiver", "antenna" and "800 MHz trunking switch" must be shown and clearly labelled with a reference numeral or the feature cancelled from the claim. No new matter should be entered.

It is noted that there is no correspondence (via the use of reference numerals) between the elements shown in Fig. 6 and the same elements (if any) shown in other Figures; further, there is no correspondence between the elements shown in Figs. 4-5 and the same elements shown in Figs. 1-3.

5. The disclosure is objected to because of the following informalities: on p. 8, line 14, it appears "axillary" should be --auxiliary--. Appropriate correction is required.

6. The following is a quotation of the first paragraph of 35 U.S.C. § 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using

it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification is objected to under 35 U.S.C. § 112, first paragraph, as failing to provide an enabling disclosure.

The specification fails to set forth what is meant by "800 MHz trunking" or how it is used; this term is merely mentioned on p. 6, line 18 and at the end of the Abstract as a possible alternate embodiment to the use of a cellular transceiver.

The manner in which the "interface control panel" is claimed is inconsistent with how it is described in the disclosure (p. 5, first full paragraph). The specification and drawings imply that the interface panel is directly accessible at the surface of the "enclosure", while claims 1 and 11 imply that a user must reach "through a first opening" in the enclosure to access the interface panel. It is unclear from the specification and drawings what is intended to constitute the claimed "first opening", and in view of the language of claims 1 and 11 it is unclear what the intended spatial relationship is between the surface of the "enclosure" and the surface of the "interface panel".

7. Claims 1-14 are rejected under 35 U.S.C. § 112, first paragraph, for the reasons set forth in the objection to the specification.

8. Claims 1-14 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, where "at least one pair of wireless security contact switches" are recited on line 7, it is unclear which of

the "at least one pair" of switches is intended by "said security contact switch" on line 10.

In claim 6, line 2, claim 8, lines 2-3, claim 10, line 3 and claim 11, line 9, the use of "capable of" as part of a claim recitation is indefinite since it is unclear if such recitation is in fact intended to further limit the claim, e.g. in claim 6 it is unclear if it is, in fact, intended to be a limitation of the claim that the battery supplies "sufficient power" to the system functions.

At the end of claims 8 and 10, it is unclear if "a building being monitored" is referring to the same structure as the "building structure" recited in claim 1, line 8, or to some other structure.

In claim 11, at the end of line 13 should be inserted
--and--.

In claims 11-12, where "at least one zone" is recited on line 9 of claim 11, it is unclear which of the "at least one" zones is intended by "said zone" on the last line of claim 11 and line 2 of claim 12.

In claims 11-12, it is unclear how it is communicated to the siren and the strobe that the zone of the structure has been "breached", i.e. it is unclear what signal or event "triggers" the siren and the strobe; in particular, there is nothing in the claim which associates the "signals" on line 9 of claim 11 with a "breaching" occurrence.

In claim 12, "a strobe light...adapted to light" is vague.

9. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that

the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

10. Claims 1, 3, 5 and 7 are rejected under 35 U.S.C. § 103 as being unpatentable over Jacob in view of Severson.

Jacob discloses an alarm system comprising "enclosure" 14 (Fig. 1), an "interface control panel" secured within the enclosure (note the keys on the face of console 14 for performing various system functions), a pair of "wireless security... switches" 44,45 arranged at an opening to a building structure, and a signal receiver 80 installed within the enclosure 14 for receiving signals from the contact switches (note the circuit diagram for the console 14 in Fig. 4, described starting at col. 9, line 18); Jacob further teaches "initiating a telephone call" to a remote location from the console 14 (col. 6, lines 19-23), via e.g. the "alarm transmitter means" 49 (col. 9, lines 49-51).

Jacob thus teaches all the subject matter of claim 1 except for a "microprocessor board" in the enclosure 14 for controlling system functions and the security switches being "contact" switches.

Severson likewise discloses an alarm system with at least one pair of wireless security switches (note elements S1,S2,..., SN in Fig. 1), wherein the switches are "contact" switches (col. 4, line 29-31), the system being controlled by system controller SC1 having an "interface control panel" (keypad 13) and a

"microprocessor" (CPU 10--col. 7, lines 23-24), and the system further having a "communication device" (dial relay 39 and modem circuitry 40--col. 10, lines 29-32) for initiating a telephone call to a remote location.

One skilled in the art having the Jacob and Severson patents before him would have found it obvious to apply the teachings of Severson to the Jacob system, in particular to use security switches of the "contact" type and to control functions of the system via a "microprocessor board", since such elements and the relative advantages of each are notoriously old and well known in the art such that to choose one over the others would merely have been based on personal preference, convenience, or other non-critical factors.

Regarding claim 3, while Jacob teaches the use of an "audible piercing sound" for the alarm, Severson teaches using a "siren" per se as the audible alarm (note "EXTERIOR SIREN" and "INTERIOR SIREN" in Fig. 2f). It would have been obvious to use as the audible alarm in Jacob a "siren" as taught by Severson, since various types of audible alarms and the relative advantages of each are notoriously old and well known in the art such that to choose one over the others would merely have been based on personal preference, convenience, or other non-critical factors.

Regarding claim 5, Severson teaches monitoring a variety of conditions including "motion" (col. 4, lines 31 and 63-64). Where both Jacob and Severson are generally directed to "security systems" for residences, those skilled in the art would have recognized that the variety of conditions monitored by Severson are notoriously old and well known in the home security art, and therefore it would have been obvious to monitor such conditions as desired in the Jacob system, i.e. by adding a motion detector thereto.

Regarding claim 7, note antenna 79 in Jacob.

"microprocessor" (CPU 10--col. 7, lines 23-24), and the system further having a "communication device" (dial relay 39 and modem circuitry 40--col. 10, lines 29-32) for initiating a telephone call to a remote location.

One skilled in the art having the Jacob and Severson patents before him would have found it obvious to apply the teachings of Severson to the Jacob system, in particular to use security switches of the "contact" type and to control functions of the system via a "microprocessor board", since such elements and the relative advantages of each are notoriously old and well known in the art such that to choose one over the others would merely have been based on personal preference, convenience, or other non-critical factors.

Regarding claim 3, while Jacob teaches the use of an "audible piercing sound" for the alarm, Severson teaches using a "siren" per se as the audible alarm (note "EXTERIOR SIREN" and "INTERIOR SIREN" in Fig. 2f). It would have been obvious to use as the audible alarm in Jacob a "siren" as taught by Severson, since various types of audible alarms and the relative advantages of each are notoriously old and well known in the art such that to choose one over the others would merely have been based on personal preference, convenience, or other non-critical factors.

Regarding claim 5, Severson teaches monitoring a variety of conditions including "motion" (col. 4, lines 31 and 63-64). Where both Jacob and Severson are generally directed to "security systems" for residences, those skilled in the art would have recognized that the variety of conditions monitored by Severson are notoriously old and well known in the home security art, and therefore it would have been obvious to monitor such conditions as desired in the Jacob system, i.e. by adding a motion detector thereto.

Regarding claim 7, note antenna 79 in Jacob.

11. Claims 2, 6, 9, 11 and 13-14 are rejected under 35 U.S.C. § 103 as being unpatentable over Jacob in view of Severson as applied to claims 1, 3, 5 and 7 above, and further in view of Tanner.

Jacob and Severson are relied upon as set forth in paragraph 10 above, and thus teach all the subject matter claimed except for:

a "handle" on the enclosure (claims 2 and 11);
a "battery" connected to the microprocessor (claim 6); and
a "video camera" within the enclosure (claim 9).

Note that Severson teaches the "siren" of claim 11 and the "motion detector" of claim 13, as discussed in paragraph 10 above; further, the key pad 13 of Severson is "programmable" (col. 7, lines 58-64) as in claim 14.

Tanner likewise discloses an alarm system having an "enclosure" 22, the enclosure having "handles" 38 to enable the enclosure to be carried by a person (col. 2, line 33), the system being powered by a "battery" (col. 1, lines 31-32), and the system featuring an audible alarm 68, a visual alarm 74, a "motion detector" 70 and a "video camera" 76 (col. 3, lines 1-3).

One skilled in the art having the Jacob, Severson and Tanner patents before him would have found it obvious to apply the teachings of Tanner to the system of Jacob in view of Severson, in particular to (i) provide the enclosure with a "handle" and to power the system via a "battery" since such features have long been recognized as desirable in making a system portable or self-contained, which is an aim of Jacob (col. 3, lines 3-11); and (ii) use a "video camera" to monitor one or more conditions of home security (to which both Jacob and Severson are directed), since it is notoriously old and well known in the art of security systems that such cameras provide valuable visual evidence of unauthorized activity.

12. Claim 4 is rejected under 35 U.S.C. § 103 as being unpatentable over Jacob in view of Severson as applied to claims 1, 3, 5 and 7 above, and further in view of Dunagan et al.

Jacob and Severson are relied upon as set forth in paragraph 10 above, and thus teach all the subject matter claimed except for a "strobe light" as one of the indicators of an alarm condition in their "home security"-type system.

Dunagan et al. likewise teach a "home security"-type system (note e.g. col. 11, line 22 to col. 12, line 44), wherein an alarm condition is indicated by means such as automatic telephone dialing and "strobe lights" (col. 15, lines 55-58).

One skilled in the art having the Jacob, Severson and Dunagan et al. patents before him would have found it obvious to apply the teachings of Dunagan et al. to the system of Jacob in view of Severson, in particular to use a "strobe light" as one form of alarm indication, since a variety of alarm means and the relative advantages of each are notoriously old and well known in the art such that to choose one(s) over the others would merely have been based on personal preference, convenience, or other non-critical factors.

13. Claim 10 is rejected under 35 U.S.C. § 103 as being unpatentable over Jacob in view of Severson as applied to claims 1, 3, 5 and 7 above, and further in view of Lester et al.

Jacob and Severson are relied upon as set forth in paragraph 10 above, and thus teach all the subject matter claimed except for the communication device being an "800 MHz trunking switch" to initiate a phone call.

Lester et al. likewise disclose an alarm system for "openings to a building structure" (e.g. doors, Fig. 1) with features such as a programmable keypad (col. 2, lines 23-30), wherein an alarm condition results in initiating a phone call via "trunking" technology (col. 2, lines 5-10).

One skilled in the art having the Jacob, Severson and Lester et al. patents before him would have found it obvious to apply the teachings of Lester et al. to the system of Jacob in view of Severson, in particular to initiate the phone calls via an "800 MHz trunking switch", since those skilled in the art of telephonic communication would have recognized that such technology is frequently used in locations requiring "security" measures and therefore would have looked to combine an alarm-type system in such a location directly with such telephonic technology.

14. Claim 12 is rejected under 35 U.S.C. § 103 as being unpatentable over Jacob in view of Severson and Tanner as applied to claim 11 above, and further in view of Dunagan et al.

Jacob, Severson and Tanner are relied upon as set forth in paragraph 11 above; Dunagan et al. are relied upon as set forth in paragraph 12 above. One skilled in the art having the Jacob, Severson, Tanner and Dunagan et al. patents before him would have found it obvious to apply the teachings of Dunagan et al. to the system of Jacob in view of Severson and Tanner, in particular to use a "strobe light" as one form of alarm indication, since a variety of alarm means and the relative advantages of each are notoriously old and well known in the art such that to choose one(s) over the others would merely have been based on personal preference, convenience, or other non-critical factors.

15. Claims 1 and 7-8 are rejected under 35 U.S.C. § 103 as being unpatentable over Jacob in view of Glidewell et al.

Jacob discloses an alarm system comprising "enclosure" 14 (Fig. 1), an "interface control panel" secured within the enclosure (note the keys on the face of console 14 for performing various system functions), a pair of "wireless security... switches" 44,45 arranged at an opening to a building structure, and a signal receiver 80 installed within the enclosure 14 for

receiving signals from the contact switches (note the circuit diagram for the console 14 in Fig. 4, described starting at col. 9, line 18); Jacob further teaches "initiating a telephone call" to a remote location from the console 14 (col. 6, lines 19-23), via e.g. the "alarm transmitter means" 49 (col. 9, lines 49-51).

Jacob thus teaches all the subject matter of claim 1 except for a "microprocessor board" in the enclosure 14 for controlling system functions and the security switches being "contact" switches.

Glidewell et al. likewise disclose an alarm system with at least one pair of wireless security switches (note sensor means 16 in Fig. 1), the system being controlled by master control unit 60 (Figs. 3-4) in combination with receiver means 18 and slave transmitter 20 (Fig. 1), the combination having an "interface control panel" (keypad 34, Fig. 1) and a "microprocessor" (CPU 70, Fig. 4), and the system further having a "communication device" (auto dialer 80 and DAA 82) for initiating a telephone call to a remote location.

One skilled in the art having the Jacob and Glidewell et al. patents before him would have found it obvious to apply the "microprocessor" of Glidewell et al. to the Jacob system and further to use "contact" switches in the Jacob system, since such elements and the relative advantages of each are notoriously old and well known in the art such that to choose one over the others would merely have been based on personal preference, convenience, or other non-critical factors.

Regarding claim 7, note antenna 79 in Jacob.

Regarding claim 8, Glidewell et al. further teach that their communication device may include a "cellular transceiver" (col. 5, lines 27-28). It would have been obvious to use as the communication device in Jacob a "cellular transceiver" as taught by Glidewell et al., since various types of telephonic devices and the relative advantages of each are notoriously old and well

known in the art such that to choose one over the others would merely have been based on personal preference, convenience, or other non-critical factors.

16. Claims 2, 6 and 9 are rejected under 35 U.S.C. § 103 as being unpatentable over Jacob in view of Glidewell et al. as applied to claims 1 and 7-8 above, and further in view of Tanner.

Jacob and Glidewell et al. are relied upon as set forth in paragraph 15 above, and thus teach or suggest all the subject matter claimed except for:

- a "handle" on the enclosure (claim 2);
- a "battery" connected to the microprocessor (claim 6); and
- a "video camera" within the enclosure (claim 9).

Tanner is relied upon as set forth in paragraph 11 above. One skilled in the art having the Jacob, Glidewell et al. and Tanner patents before him would have found it obvious to apply the teachings of Tanner to the system of Jacob in view of Glidewell et al., in particular to (i) provide the enclosure with a "handle" and to power the system via a "battery" since such features have long been recognized as desirable in making a system portable or self-contained, which is an aim of Jacob (col. 3, lines 3-11); and (ii) use a "video camera" to monitor one or more conditions of home security (to which both Jacob and Glidewell et al. are directed--note that Glidewell et al. teach that their system is applicable to "apartments", col. 1, line 17), since it is notoriously old and well known in the art of security systems that such cameras provide valuable visual evidence of unauthorized activity.

17. Claim 4 is rejected under 35 U.S.C. § 103 as being unpatentable over Jacob in view of Glidewell et al. as applied to claims 1 and 7-8 above, and further in view of Dunagan et al.

Jacob and Glidewell et al. are relied upon as set forth in

paragraph 15 above; Dunagan et al. are relied upon as set forth in paragraph 12 above. One skilled in the art having the Jacob, Glidewell et al. and Dunagan et al. patents before him would have found it obvious to apply the teachings of Dunagan et al. to the system of Jacob in view of Glidewell et al., in particular to use a "strobe light" as one form of alarm indication, since a variety of alarm means and the relative advantages of each are notoriously old and well known in the art such that to choose one(s) over the others would merely have been based on personal preference, convenience, or other non-critical factors.

18. Claim 10 is rejected under 35 U.S.C. § 103 as being unpatentable over Jacob in view of Glidewell et al. as applied to claims 1 and 7-8 above, and further in view of Lester et al.

Jacob and Glidewell et al. are relied upon as set forth in paragraph 15 above; Lester et al. are relied upon as set forth in paragraph 13 above. One skilled in the art having the Jacob, Glidewell et al. and Lester et al. patents before him would have found it obvious to apply the teachings of Lester et al. to the system of Jacob in view of Glidewell et al., in particular to initiate the phone calls via an "800 MHz trunking switch", since those skilled in the art of telephonic communication would have recognized that such technology is frequently used in locations requiring "security" measures and therefore would have looked to combine an alarm-type system in such a location directly with such telephonic technology.

19. Claims 11 and 14 are rejected under 35 U.S.C. § 103 as being unpatentable over Tanner in view of Severson.

Tanner discloses an alarm system having an "enclosure" 22, the enclosure having "handles" 38 to enable the enclosure to be carried by a person (col. 2, line 33); an "interface control panel" (programmable keypad 28) associated with the enclosure 22

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(col. 2, lines 25-27); and a "cellular telephone signal transmitter" (i.e. a "communication circuit"--col. 3, lines 8-11) for initiating a telephone call to a remote location. The system is powered by a "battery" (col. 1, lines 31-32), and features an audible alarm 68, a visual alarm 74, a "motion detector" 70 and a "video camera" 76 (col. 3, lines 1-3); the motion detector 70 constitutes a "signal receiver" for receiving signals from at least one zone within a monitored area (i.e., receiving whatever type of signals are representative of the "motion").

Thus, Tanner teaches all the subject matter of claims 11 and 14 except for a "microprocessor board" in the enclosure 22 for controlling system functions, and the audible alarm thereof being a "siren".

The teachings of Severson are set forth in paragraphs 10-11 above. One skilled in the art having the Tanner and Severson patents before him would have found it obvious to apply the teachings of Severson to the Tanner system, in particular to control functions of the system via a "microprocessor board" and to use a "siren" per se as the audible alarm, since such elements and the relative advantages of each are notoriously old and well known in the art such that to choose one over the others would merely have been based on personal preference, convenience, or other non-critical factors..

20. Claim 12 is rejected under 35 U.S.C. § 103 as being unpatentable over Tanner in view of Severson as applied to claim 11 above, and further in view of Dunagan et al.

Tanner and Severson are relied upon as set forth in paragraph 19 above; Dunagan et al. are relied upon as set forth in paragraph 12 above. One skilled in the art having the Tanner, Severson and Dunagan et al. patents before him would have found it obvious to apply the teachings of Dunagan et al. to the system of Tanner in view of Severson, in particular to use a "strobe

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light" as one form of alarm indication, since a variety of alarm means and the relative advantages of each are notoriously old and well known in the art such that to choose one(s) over the others would merely have been based on personal preference, convenience, or other non-critical factors.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Mullen whose telephone number is (703) 305-4382. The examiner can normally be reached on Mon.-Fri. from 8AM to 4:30PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Peng, can be reached on (703) 305-4392. The fax phone number for this Group is (703) 305-9508.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-8576.

T.Mullen
June 29, 1995

Thomas J. Mullen Jr.
THOMAS MULLEN
PATENT EXAMINER
GROUP 2600